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10/067,968	02/08/2002	Masoud Loghmani	43459	9943

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EXAMINER

PHAN, JOSEPH T

ART UNIT PAPER NUMBER

2645

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/067,968

**Applicant(s)**

LOGHMANI, MASOUD

**Examiner**

Joseph T. Phan

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/16/04</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-2, 9, and 18 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 line 9 recites "the client interface" which is unclear as to what the phrase is referring to as lines 3 and line 11 recites "one or more client devices" but line 9 recites "the client interface". There are multiple client interfaces including an information site, application site, client devices, client interaction sessions, and data source interaction sessions. Therefore this renders the claim indefinite. Appropriate clarification or correction is required.

Claims 1 and 19 lines 6-7 recites "...comprising at least one of the information site and the application site in multiple phases..." This phrase is unclear and has grammatical errors as it appears the 'sites' comprises of multiple phases which is not enabled. Appropriate clarification or correction is required.

Claim 2 line 3 recites the phrase "...devices in during respective ones..." which is unclear and grammatically incorrect rendering the claim confusing and indefinite. Appropriate clarification or correction is required.

Claim 9 line 13 recites "the client interface" which is unclear as to what the phrase is referring to as there is no antecedent basis. "the client interface could relate to

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"a user device, a user interface module, or a client interaction session in lines 1,5,7, and 11.

Claim 9 has apparent grammatical errors which makes the claim confusing and unclear. Lines 13-16 recites multiple "**,the**" terminology in which the commas are used in different ways and makes the flow confusing, since there are a plurality of breaks in the claim flow, colons, semi-colons and commas should be used appropriately(e.g. "**;**the data source ;the transaction session data****"). The commas used in line 16 are used correctly since they are related items.

Lines 17-20 recites "to establish, ...to access ..., to associate..., and to map..." which create run-on sentences and makes the claim confusing as for example "to associate user id" in line 18 could relate back to the phrase "employed by the client device" in line 17.

Claim 18 lines 9-10 recites "**,the transaction session data comprising**" Since the flow of commas are used in a similar method, this phrase is confusing and unclear if it relates back to the "session management gateway" or if it is part of the NOR usage. Appropriate clarification or correction is required.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-21 rejected under 35 U.S.C. 103(a) as being unpatentable over Maloney et al., Patent #5,555,299.**

Regarding claim 1, Maloney teaches, as best understood due to the 112 issues above, a software-based method that allows callers to access an information site or an application site by one or more client devices comprising a telephone, a mobile phone and a data device(12 Fig.2; *a standard landline telephone is mobile as you can walk around while using it*), the method comprising the steps of performing a transaction session by accessing a data source comprising at least one of the information site and the application site in multiple phases, the transaction session comprising at least one client interaction session and a data source interaction session the client interaction session comprising a data access session with the client interface the data source interaction session comprising a session with business logic corresponding to the data source, the multiple phases comprising different client interaction sessions via the one or more client devices to participate in at least part of the transaction session(100 Fig.5 and col.9 lines 1-12);

storing session data relating, to the transaction session in a memory device the session data comprising user identification data for associating the transaction session to a user participating in the transaction session(118 Fig.5) the session data being saved at different steps of the transaction session and using the stored session data to allow the user to drop a call constituting one of the multiple phases, and call back at a later time to continue the transaction session with one of the in formation site and the application site during another one of the multiple phases(*col.7 lines 1-42 and col.9*

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*lines 25-67; the call is put on hold/dropped then a separate agent call is performed so the user can continue with transactions).*

Maloney does not expressly disclose the application and information site is on the internet.

Maloney does however utilizes application and information sites that are remote from the user(Fig.2).

Examiner takes official notice as it is obvious to one skilled in the art to have application and information sites on the internet. Retrieving information from these sites are old and well-known since it offers the user more flexibility in accessing a plethora of useful applications(e.g. calling amazon.com or buy.com to order products). Furthermore, Fig.2 in Maloney shows servers and LAN networks that are used on the internet. Therefore having information sites on the internet is not novel.

Regarding claim 2, Maloney teaches a system as claimed in claim 6, wherein callers access the system using plurality of different devices in during respective ones of the multiple phases of interaction (*col.7 lines 1-42 and col.9 lines 10-67;callers uses a phone and interactive computer to access the system*).

Regarding claim 3, Maloney teaches a system as claimed in claim 6, wherein each user accessing the system is identified using at least one of a combination of username and password, a pin and pass-code, cookie information, and other identification technique available through the use of the client device(col.9 lines 1-67).

Regarding claim 4, Maloney teaches a method as claimed in claim 1, wherein the session data allows the user to continue the transaction session at substantially the same point during the transaction session where the call was earlier dropped or data contact was terminated(*col.9 lines 1-67; the user's continuation is substantially the same point where the data contact was terminated at the first CC*).

Regarding claim 5, Maloney teaches a method as claimed in claim 1, wherein the storing step comprises the step of storing session data in a memory device corresponding to a session management gateway connected downstream of the information site or the application site via the internet and upstream of the client devices(Fig.2 and col.9 lines 1-67).

Regarding claim 6, Maloney teaches a method as claimed in claim 5, wherein the storing step comprises the step of storing the session data in the memory device independently of the information site, the application site, the business logic, a back end data server, the client device, and the access medium employed by the client device to establish an interaction session to access the session management gateway(col.9 lines 1-67).

Regarding claim 7, Maloney teaches a method as claimed in claim 5, wherein the session data is retained in the memory device even during the absence of the user device being connected to the session management gateway(col.9 lines 1-67).

Regarding claim 8, Maloney teaches a method as claimed in claim 7, wherein the session management gateway maintains the transaction session with the data source for a selected period of time after a client interaction session between the information

site or the application site and a user device is dropped, and a subsequent client interaction session initiated to participate in the transaction session with the data source is mapped to the transaction session by the session management gateway(col.9 lines 1-67).

**Regarding claim 9, Maloney teaches** a system for managing access of a user device to a data source comprising at least one of an information site and an application site comprising:

a session management gateway connected downstream of the data source via the internet and upstream of a user device(14 Fig.2); and

a memory device read from and written to by the session management gateway and not by a user interface module, nor the user device, nor a back end data server, nor the data source[14 Fig.2; *PBX/ACD is not the user interface module or the data source*];

wherein the session management gateway is programmable to store transaction session data in the memory device that relates the user to a transaction session with the data source, the transaction session comprising at least one client interaction session and a data source interaction session, the client interaction session comprising a data access session with the client interface, the data source interaction session comprising a session with business logic corresponding to the data source, the transaction session data being stored independently of the information site, the application site, the business logic, a back end data server, the client device, and the access medium employed by the client device to establish an interaction session to access the session management gateway for participation in the transaction session, to

associate user identification data corresponding to the user with the transaction session data for that user, and to map any subsequent interaction sessions initiated by the user using the user device or another device with the transaction session by using the user identification data after the user has identified himself(*Fig.2, col.7 lines 1-42 and col.9 lines 1-67*).

Maloney does not expressly disclose the application and information site is on the internet.

Maloney does however utilizes application and information sites that are remote from the user(*Fig.2*).

Examiner takes official notice as it is obvious to one skilled in the art to have application and information sites on the internet. Retrieving information from these sites are old and well-known since it offers the user more flexibility in accessing a plethora of useful applications(e.g. calling amazon.com or buy.com to order products).

Furthermore, *Fig.2* in Maloney shows servers and LAN networks that are used on the internet. Therefore having information sites on the internet is not novel.

Regarding claim 10, Maloney teaches a system as claimed in claim 9, wherein the data source comprises a single application and the session management gateway interacts with the single application for the transaction session, and the system is operable to support multiple phases with respect to the transaction session, the multiple phases comprising different client interaction sessions via the one or more user devices to participate in at least part of the transaction session, the user device being a

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telephone in one phase, and a data device in another phase(*Fig.2, col.7 lines 1-42 and col.9 lines 1-67*).

Regarding claim 11, Maloney teaches a system as claimed in claim 9, wherein the session management gateway is operable to store transaction session data corresponding to plural transaction sessions in the memory device independently of the information site, the application site, a back end data server, the business logic, the client device, and the access medium employed by the client device to establish an interaction session to access the session management gateway to avoid being application-specific(*Fig.2, col.7 lines 1-42 and col.9 lines 1-67*).

Regarding claim 12, Maloney teaches a system as claimed in claim 9, wherein the transaction session data is retained in the memory device even during the absence of the user device being connected to the session management gateway(*Fig.2, col.7 lines 1-42 and col.9 lines 1-67*).

Regarding claim 13, Maloney teaches a system as claimed in claim 12, wherein the session management gateway maintains the transaction session with the data source for a selected period of time after an client interaction session between the data source and a user device is dropped, and a subsequent client interaction session initiated to participate in the transaction session with the data source is mapped to the transaction session by the session management gateway(*Fig.2, col.7 lines 1-42 and col.9 lines 1-67*).

Regarding claim 14, Maloney teaches a system as claimed in claim 9, wherein the transaction session data is retained in the memory device a predetermined period of

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time and then deleted therefrom if no other phases or client interaction sessions are commenced during the predetermined period of time(*Fig.2, col.7 lines 1-42 and col.9 lines 1-67*).

Regarding claim 15, Maloney teaches a system as claimed in claim 9, wherein the transaction session data is saved to the memory device at different events in the transaction(*Fig.2, col.7 lines 1-42 and col.9 lines 1-67*).

Regarding claim 16, Maloney teaches a system as claimed in claim 9, further comprising at least one other session management gateway being configured to access the memory device and to store transaction session data therein(*Fig.2, col.7 lines 1-42 and col.9 lines 1-67*).

Regarding claim 17, Maloney teaches a system as claimed in claim 16, wherein the session management gateways connected to the memory device are operable to maintain respective phases comprising client interaction sessions in the same transaction session(*Fig.2, col.7 lines 1-42 and col.9 lines 1-67*).

**Regarding claim 18, Maloney** teaches a method for managing access of a user device to a data source comprising at least one of an information site and an application site comprising the steps of: establishing a first client interaction session with a session management gateway connected downstream of the data source via the internet and upstream of the user device to initiate a transaction session with the data source; storing transaction session data relating to the transaction session in a memory device read from and written to by the session management gateway and not the user

interface, nor the user device, nor a back end data server, nor the data source, the transaction session data comprising user identification data for associating the transaction session to a user participating in the transaction session, the transaction session data being saved at different steps of the transaction session; terminating the first client interaction session; initiating a second client interaction session at the user device or another device wherein the user provides user identification data to the session management gateway; and mapping the second client interaction session with the transaction session by using the user identification data after the user has identified himself(*Fig.2, col.7 lines 1-42 and col.9 lines 1-67*).

Maloney does not expressly disclose the application and information site is on the internet.

Maloney does however utilizes application and information sites that are remote from the user(*Fig.2*).

Examiner takes official notice as it is obvious to one skilled in the art to have application and information sites on the internet. Retrieving information from these sites are old and well-known since it offers the user more flexibility in accessing a plethora of useful applications(e.g. calling amazon.com or buy.com to order products). Furthermore, *Fig.2* in Maloney shows servers and LAN networks that are used on the internet. Therefore having information sites on the internet is not novel.

**Regarding claim 19, Maloney** teaches a computer-readable storage device operable to store transaction session data relating to transaction sessions, the transaction sessions comprising data access sessions to access a data source selected

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from an information site and an application site in multiple phases, the transaction session comprising at least one client interaction session and a data source interaction session, the client interaction session comprising a data access session with the client interface, the data source interaction session comprising a session with business logic corresponding to the data source, the transaction session data being stored independently of the information site, the application site, the business logic, the client device, and the access medium employed by the client device to establish an interaction session to participate in the transaction, the multiple phases comprising different client interaction sessions via the one or more client devices to participate in at least part of the transaction session, the transaction session data comprising user identification data for associating the transaction session to a user participating in the transaction session, the transaction session data being saved by the computer-readable storage device at different steps of the transaction session(*Fig.2, col.7 lines 1-42 and col.9 lines 1-67*).

Maloney does not expressly disclose the application and information site is on the internet.

Maloney does however utilizes application and information sites that are remote from the user(*Fig.2*).

Examiner takes official notice as it is obvious to one skilled in the art to have application and information sites on the internet. Retrieving information from these sites are old and well-known since it offers the user more flexibility in accessing a plethora of useful applications(e.g. calling amazon.com or buy.com to order products).

Furthermore, Fig.2 in Maloney shows servers and LAN networks that are used on the internet. Therefore having information sites on the internet is not novel.

Regarding claim 20, Maloney teaches a computer-readable storage device as claimed in claim 19, wherein the computer-readable storage device is operable with a session management gateway connected downstream of the data source and upstream of the client devices, the session management gateway being operable to manage the transaction sessions independently of the data source, the business logic, the client devices and access medium employed by the client devices, and the transaction session data is retained in the computer-readable storage device even during the absence of the user device being connected to the session management gateway(*Fig.2, col.7 lines 1-42 and col.9 lines 1-67*).

Regarding claim 21, Maloney teaches a computer-readable storage device as claimed in claim 19, wherein the transaction session data is retained in the computer-readable storage device for a predetermined period of time and deleted therefrom if no phases or client interaction sessions are commenced during the predetermined period of time(*Fig.2, col.7 lines 1-42 and col.9 lines 1-67*).

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-3 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

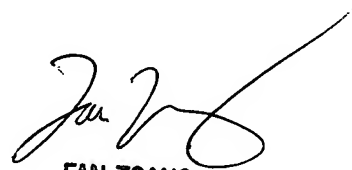
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T. Phan whose telephone number is (571) 272-7544. The examiner can normally be reached on M-TH 9:00-6:30, in every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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JTP  
April 27, 2005



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